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 and Surety Company of America and Pacific Indemnity Company*

**UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA**

UNITED STATES OF AMERICA, for the use and
 benefit of SUSTAINABLE MODULAR
 MANAGEMENT, INC., a Texas corporation,

Plaintiff,

vs.

JE DUNN CONSTRUCTION COMPANY, *et al.*,

Defendants.

Case No.: 2:20-cv-00790-GMN-NJK

**STIPULATION TO EXTEND BY ONE
 WEEK THE DEADLINE FOR FILING
 REPLIES IN SUPPORT OF THE
 PARTIES' RESPECTIVE MOTIONS
 FOR PARTIAL SUMMARY
 JUDGMENT**

(FIRST REQUEST)

Plaintiff, UNITED STATES OF AMERICA, for the use and benefit of Sustainable Modular Management, Inc. ("SMM" or "Plaintiff"), Defendant/Counterclaimant, JE Dunn Construction Company, and Defendants, Federal Insurance Company, Hartford Fire Insurance Company, Travelers Casualty and Surety Company of America ("Surety Defendants") file this Stipulation to Extend By One Week the Deadline to file their Respective Replies in support of their Motions for Partial Summary Judgment, and in support thereof, respectfully state as follows:

1 1. The Court's Order extending the deadlines in the Discovery Plan and Scheduling
2 Order [ECF No. 95] and Local Rules reset the deadline for the parties to file dispositive motions to
3 June 30, 2023.

4 2. Consistent with the Court's Order and Local Rules,
5 Defendant/Counterclaimant/Surety Defendants and Plaintiff filed their respective Motions for
6 Partial Summary Judgment on June 30, 2023 [ECF No. 103] and [ECF No. 106], respectively,
7 (collectively, the "MPSJs").

8 3. Consistent with the Court's July 27, 2023 order extending the time for the Parties to
9 file their responses to the MPSJs to August 4, 2023 [ECF No. 115], the Parties filed their respective
10 responses to the MPSJs on that date [ECF No. 116] and [ECF No. 117]. The current deadline for
11 the parties to file their replies in support of their respective MPSJs consistent with LR 7-2 of the
12 Local Rules for the United States District Court, District of Nevada and Rule 56 of the Federal
13 Rules of Civil Procedure, is August 18, 2023.

14 4. This is the first stipulation for an extension of time presented by the parties to file
15 their replies in support of their MPSJs, and the request is for an extension of one week until and
16 including August 25, 2023.

17 5. The parties have been working diligently on their reply briefs and request this one-
18 week extension based on the volume of information presented in the responses to the MPSJs, the
19 significance of the issues presented by the dispositive nature of the relief requested, and their
20 respective prior commitments and workloads.

21 7. This stipulation is filed before the August 18, 2023 deadline consistent with Local
22 Rule IA -6.1, and is further submitted in good faith and not intended to cause delay. With the
23 extension requested herein, the MPSJs will be fully briefed well before the settlement conference
24 scheduled for September 28, 2023.

25 8. Consistent with Local Rule IA 6-2, SMM, JE Dunn and the Surety Defendants
26 respectfully request that the Court extend the time for them to file their replies in support of their
27 respective MPSJs until and including August 25, 2023.
28

DATED this 16th day of August, 2023.

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Attorneys for Defendant

ORDER

IT IS SO ORDERED.


United States District Court Judge

DATED August 17, 2023

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Lewis Roca Rothgerber Christie LLP, and that on the 16th day of August, 2023, I caused to be served a true and correct copy of **STIPULATION TO EXTEND BY ONE WEEK THE DEADLINE FOR FILING REPLIES IN SUPPORT OF THE PARTIES' RESPECTIVE MOTIONS FOR PARTIAL SUMMARY JUDGMENT** on all parties appearing in this case when filing said document through the court's CM/ECF PACER system with automatic e-service on all persons who have registered for e-service on CM/ECF PACER for this case.

/s/ Jessie M. Helm
An employee of Lewis Roca Rothgerber Christie LLP